

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CAROL MILLER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

**BATH SAVER, INC. and BATH
FITTER MANUFACTURING INC.,**

Defendants.

Case No. 1:21-cv-01072-JPW

JUDGE JENNIFER P. WILSON

ELECTRONICALLY FILED

**PLAINTIFF’S UNOPPOSED MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Carol Miller (“Plaintiff”) and Defendants Bath Saver, Inc. and Bath Fitter Manufacturing Inc. reached a class action settlement agreement (“Settlement Agreement” or “Agreement”) that establishes a non-reversionary Settlement Fund in the amount of \$1,950,000 for the benefit of the Settlement Class. Defendants have also agreed to take remedial measures aimed at curbing future potentially violative calls. These changes in business practices themselves have an economic value of more than \$1,450,000 over the next four years to the Settlement Class, making the Settlement’s total economic value more than \$3,400,000. Preliminary approval of the Settlement was granted on October 4, 2022 (ECF 60).

Plaintiff and Class Counsel submit this motion to request final approval by the Court. For the reasons set forth in Plaintiff's Brief, filed concurrently, the Settlement negotiated by the Parties is fair, adequate, and reasonable and provides a substantial benefit to the Class.

Plaintiff requests that the proposed order, incorporating Plaintiff's requested attorneys' fees, expenses, and the proposed Service Payment, attached hereto as Exhibit 1 be entered.

DATED this 18th day of January, 2023. Respectfully submitted,

/s/ Avi R. Kaufman

Avi R. Kaufman (Trial Counsel)

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Class Counsel

CERTIFICATE OF CONCURRENCE

I HEREBY CERTIFY that on January 17, 2023, I conferred with Defendants' counsel to request concurrence in the foregoing Motion, and Defendants' counsel concurs with the Motion.

/s/ Avi R. Kaufman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 18, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, and it is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Avi R. Kaufman